

UNITED STATES DISTRICT COURT  
for the  
District of Nebraska

United States of America

v.

LAVON JAMES OWENS

)

) Case No: 4:12CR3021

)

) USM No: 38409-013

)

) David R. Stickman

Defendant's Attorney

Date of Original Judgment: 12/04/2012

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 78 months is reduced to 63.

*(Complete Parts I and II of Page 2 when motion is granted)*

The defendant shall not be released any earlier than November 1, 2015.

Except as otherwise provided, all provisions of the judgment dated 12/04/2012 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 05/21/2015

s/ John M. Gerrard  
*Judge's signature*

Effective Date: 11/01/2015  
*(if different from order date)*

John M. Gerrard, United States District Judge  
*Printed name and title*

**This page contains information that should not be filed in court unless under seal.  
(Not for Public Disclosure)**

LAVON JAMES OWENS

DEFENDANT: \_\_\_\_\_

CASE NUMBER: 4:12CR3021

DISTRICT: District of Nebraska

**I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)**

Previous Total Offense Level: 27

Amended Total Offense Level: 25

Criminal History Category: II

Criminal History Category: II

Previous Guideline Range: 78 to 97 months

Amended Guideline Range: 63 to 78 months

**II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- The reduced sentence is above the amended guideline range.

**III. ADDITIONAL COMMENTS**

Filing nos. 118 and 119 are granted as provided herein. Filing 108 is denied as moot.